IN THE HIGH COURT OF JUDICATURE OF BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT No. 1313 of 1988

M/s.Pasupati Spinning & Weaving
Mills Ltd. & Anr. .. Plaintiffs

versus

M/s.Rajiv Roadways .. Defendants

...

Mr.V.S. Amin i/b Modi & Shetty for the plaintiffs

Ms.S.Dwivedi i/b K.K. Gregat for the defendant.

CORAM : D.G. KARNIK, J

DATED : 22nd June 2006.

P.C.:

1. Heard learned counsel for the parties.

2. The suit is for recovery of money. The defendants have not filed written statement for several years. Counsel for the plaintiffs pray for a decree under Order 8 Rule 10 of the Code of Civil Procedure. In the absence of written statement, averments made in the plaint are deemed to be admitted.

3. Suit of the plaintiffs is decreed under Order 8 Rule 10 of the Code of Civil Procedure in terms of prayer clauses (a) and (b).

(D.G. KARNIK, J)